

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DENNIS E. DAVIS, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

SYMETRA LIFE INSURANCE COMPANY,

Defendant.

NO. 2:21-cv-00533-KKE

**STIPULATED MOTION AND
ORDER TO STAY PROCEEDINGS**

STIPULATED MOTION AND ORDER TO STAY
PROCEEDINGS

Case No. 2:21-cv-00533-KKE

1 Pursuant to Local Civil Rule 7(d)(1), Plaintiff Dennis E. Davis (“Plaintiff”) and
2 Defendant Symetra Life Insurance Company (“Symetra”) (collectively, the “Parties”) hereby
3 stipulate and respectfully request the Court stay proceedings through and including November
4 4, 2024, so that they may conduct a mediation scheduled for October 15, 2024 in New York,
5 New York before the Honorable Layn Phillips. Specifically, the Parties stipulate and
6 respectfully request that the Court hold the following motions in abeyance until November 4,
7 2024: (1) Plaintiff’s Motion for Class Certification (Doc. 61); (2) Symetra’s Motion to Exclude
8 Opinion of Expert Scott J. Witt (Doc. 81) and (3) Symetra’s Motion for Summary Judgment
9 (Doc. 94).

10 Courts have “broad discretion” to stay proceedings. *Xirsi v. United States Dep’t of*
11 *State*, No. 2:23-CV-00699-KKE, 2024 WL 756016, at *1 (W.D. Wash. Feb. 23, 2024) (quoting
12 *Clinton v. Jones*, 520 U.S. 681, 706 (1997)). “[T]he power to stay proceedings is incidental to
13 the power inherent in every court to control the disposition of the causes on its docket with
14 economy of time and effort for itself, for counsel, and for litigants.” *Id.* (quoting *Landis v. N.*
15 *Am. Co.*, 299 U.S. 248, 254 (1936)); *see also* Fed. R. Civ. P. 1.

16 With additional time, this case may be resolved without the need of further judicial
17 intervention, which would conserve the resources of the Parties and the Court by allowing the
18 Parties to focus on potential settlement discussions. In light of the upcoming scheduled
19 mediation, the Parties therefore respectfully request that this Court stay the case and hold the
20 following motions in abeyance until November 4, 2024: (1) Plaintiff’s Motion for Class
21 Certification (Doc. 61); (2) Symetra’s Motion to Exclude Opinion of Expert Scott J. Witt (Doc.
22 81) and (3) Symetra’s Motion for Summary Judgment (Doc. 94).

1 DATED September 17, 2024

Respectfully submitted,

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ORDER

The Court GRANTS the parties' stipulated motion (Dkt. No. 128) and STAYS this matter until November 4, 2024.

The clerk is directed to TERMINATE (1) Plaintiff's motion for class certification (Dkt. No. 67), (2) Symetra's motion to exclude opinion of expert Scott J. Witt (Dkt. No. 81), and (3) Symetra's motion for summary judgment (Dkt. No. 94). Upon the moving party's filing of a notice of intent to reactivate any motion, on or after November 4, 2024, the clerk shall reactivate that motion.

Dated this 17th day of September, 2024.



Kymberly K. Evanson
United States District Judge